

567—148.6(455B) Site listing.

148.6(1) *Notification to site owner.* After receiving and considering the recommended site classification from the DPH, the department shall notify the owner of any part of a site to be included in the registry. The notice shall include the name of the site owner(s), legal description of the site, period of waste disposal (if known), type of hazardous waste or hazardous substances disposed of or found as contaminants at the site, and the intended site classification. The notice shall be sent by certified mail to the owner's last-known address 30 days before the site is added to the registry.

148.6(2) *Appeal of site listing.* During the 30-day notice period, the owner or operator may appeal for deletion of the site, modification of the site classification, or modification of any information regarding the site. The site shall not be listed on the registry until a final decision has been made on the appeal in accordance with Iowa Code section 455B.429.

148.6(3) *Recording of site designation.* After the site is placed on the registry, the director shall file with the county recorder a statement disclosing the period of waste disposal and the type of hazardous waste or hazardous substances disposed of or found as contaminants at the site.

148.6(4) *Changes to site listing.* Changes to the site boundary or site classification shall not be made without notice to the affected property owner(s). Changes in site boundary designations shall be filed with the county recorder. The director shall also notify the county recorder when the site has been reclassified as Classification "e" and has been removed from the registry.

148.6(5) *Use and transfer of listed sites.*

a. Restriction on use. Written approval of the director is required prior to any substantial change in the use of a listed site. The written requests shall be considered on the basis of the potential impact to human health and the environment.

b. Restriction on property transfer. Written approval of the director is required to sell, convey, or transfer title of a listed site. The written requests shall be considered on the basis of the potential impact on human health and the environment.

c. Appeal of director's decisions. Decisions of the director concerning the use or transfer of a listed site may be appealed in the manner provided in Iowa Code section 455B.429.

148.6(6) *Financial disclosure.* Financial disclosure is required of a person liable for site cleanup costs. The disclosure report is required upon request of the department immediately after the site is listed on the registry. A subsequent report is required annually on April 15 for the period the site remains on the registry. The report shall consist of documentation of the responsible person's liabilities and assets, including, if filed, a copy of the annual report submitted to the secretary of state pursuant to Iowa Code chapter 490.